

Message Text

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ACTION EB-08

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FM AMEMBASSY PARIS
TO SECSTATE WASHDC 2092

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E.O. 11652: N/A
TAGS: EAIR, FR
SUBJ: PAN AM CHANGE OF GAUGE

REF: STATE 132236

REFTEL, PARA ONE, REQUESTS EXACT TEXT OF MARCH 22
EMBASSY LETTER SENT TO QUAI D'ORSAY. TEXT IS AS
FOLLOWS: QUOTE

MARCH 22, 1978

MLLE FRANCOISE CLAUDE-LAFONTAINE
CONSEILLER DES AFFAIRES ETRANGERES
MINISTERE DES AFFAIRES ETRANGERES
37 QUAI D'ORSAY
PARIS 75007

DEAR MLLE CLAUDE-LAFONTAINE:

PAN AMERICAN WORLD AIRWAYS HAS INFORMED THE STATE
DEPARTMENT THAT THE DIRECTORATE GENERAL OF CIVIL
AVIATION HAS ADVISED THAT THE PROPOSED CHANGE OF
GAUGE AT LONDON IN CONNECTION WITH THE UNITED STATES-
LONDON-PARIS FLIGHT, PROPOSED TO START ON APRIL 1,
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HAS BEEN DISAPPROVED; AND THAT CHANGE OF GAUGE IS IN
VIOLATION OF THE BILATERAL AGREEMENT BETWEEN FRANCE
AND THE UNITED STATES.

I HAVE BEEN INSTRUCTED TO REQUEST THAT THE FRENCH
AUTHORITIES RECONSIDER THIS POSITION TAKING INTO
ACCOUNT THE FOLLOWING POINTS:

1. THE UNITED STATES REGARDS CHANGE OF GAUGE AS AN INTRINSIC RIGHT. SECTION VI OF THE ANNEX TO THE AGREEMENT, AS AMPLIFIED BY SECTION II OF THE AUGUST 5, 1959 AGREED MINUTES, ADDRESSES THE QUESTION OF HOW A CHANGE OF GAUGE MAY BE CONDUCTED IN THE TERRITORY OF OTHER PARTY. THESE PROVISIONS ARE SILENT WITH REGARD TO CHANGE OF GAUGE IN THIRD COUNTRIES BECAUSE IT HAS ALWAYS BEEN CONSIDERED NECESSARY TO DEAL WITH THE QUESTION ONLY WITH RESPECT TO HOW A CHANGE OF GAUGE MAY BE CONDUCTED IN THE TERRITORY OF THE OTHER PARTY. THE MANNER IN WHICH A CHANGE OF GAUGE TAKES PLACE IN A THIRD COUNTRY IS ONE TO BE RESOLVED BETWEEN THE FIRST COUNTRY (IN THIS CASE THE UNITED STATES) AND THE THIRD COUNTRY (IN THIS CASE THE UNITED KINGDOM).

2. THE FRENCH AUTHORITIES HAVE THEMSELVES NOT OBJECTED IN THE PAST TO UNITED STATES AIRLINES CHANGE OL GAUGE IN THIRD COUNTRIES. FOR EXAMPLE, PAN AMERICAN HAS CHANGED GAUGE AT ROME ON ITS NEW YORK-PARIS-ROME-BEYOND FLIGHT DURING THE FOLLOWING PERIODS: OCTOBER 1958 TO APRIL 1960, APRIL 1970 TO MAY 1970, OCTOBER 1970 TO JUNE 1971, OCTOBER 1971 TO JUNE 1972, AND OCTOBER 1972 TO OCTOBER 1973.

IT WOULD BE UNFORTUNATE TO CREATE A PROBLEM FOR THIS LIMITED OFFICIAL USE

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SPECIFIC PAN AMERICAN OPERATION AT THIS PARTICULAR TIME, AS THE UNITED STATES HAS BEEN ON THE VERGE OF ACCEPTING THE FRENCH PROPOSAL TO ALLOW AIR FRANCE A WASHINGTON-MEXICO CITY BLIND SECTOR (FOR THE CONCORDE) IN RETURN FOR THE CONTINUATION OF TWA'S GENEVA-NICE BLIND SECTOR, DESPITE THE FACT THAT THE FORMER IS MORE VALUABLE THAN THE LATTER.

THE UNITED STATES HOPES THEREFORE THAT THE FRENCH AUTHORITIES WILL REMOVE THEIR OBJECTION TO PAN AMERICAN'S CHANGE OF GAUGE.

SINCERELY YOURS,

/S/ EDWARD R. O'CONNOR
CIVIL AIR ATTACHE

UNQUOTE
HARTMAN

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NNN

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